

Violence Against Women Act of 2000

Costs for Criminal Charges and Protection Orders

Chart

By statute, certain grant programs administered by VAWO require that applicants and grantees certify that their laws, policies, and practices do not require the victim to bear the cost of different fees associated with protection orders and criminal charges. (These fees are listed in the statutes and specified below.) This chart can be used by applicants and grantees of those grant programs to help them assess whether they are in compliance with the applicable statutory certification requirements.

Who should use the chart:

Applicants and grantees under the following grant programs:

- STOP (Services*Training*Officers*Prosecutors) Violence Against Women Formula Grant Program
- STOP Violence Against Indian Women Discretionary Grants Program
- Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program

How the chart can be helpful:

This chart can be used by applicants to the grant programs listed above to help them assess if their jurisdiction will be able to certify to the statutory requirement¹:

“that its laws, policies, and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim of domestic violence, stalking, or sexual assault, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the State, tribal, or local jurisdiction”

How to use this chart:

¹42 U.S.C. §§ 3796gg-5(a)(1) and 3796hh(c)(4) both contain this language.

- Examine each category on the chart and determine whether your jurisdiction's laws, policies, and practices ensure that victims will not be required to bear any costs within that category.
- The user should:
 - Circle **“YES”** if the victim can be charged the corresponding fees under the applicable laws, policies, and practices
 - Circle **“NO”** if the victim could not be charged for any fees;
 - Circle **“N/A”** if the particular category is not applicable to the jurisdiction.
 - When determining which option to circle, remember that the requirement applies whether the particular legal document was issued inside or outside the state, tribal, or local jurisdiction.
- It may be helpful to list the applicable statute on the chart for reference.
- **Examples:**
 - If the jurisdiction has a law that allows a filing fee to be charged for petitions for protection orders to protect victims of domestic violence, but the jurisdiction has a written policy that prohibits victims from being charged, the user should circle "YES" in the box for filing fees for a petition for a protection order to protect a victim of domestic violence. This is because the law states that it is permissible to charge a fee.
 - In many jurisdictions, a witness subpoena would never need to be registered so there would and could be no charge to the victim for registration. In such jurisdictions, the user should circle “N/A” in each of the boxes representing registration of witness subpoenas.

How to interpret the results:

Assuming the chart is completed correctly, an applicant who has circled “NO” or “N/A” in all of the boxes based on its jurisdictions laws, policies, and practices should, in most cases, be able to certify to its compliance with the appropriate statutory requirement.

VAWA 2000 Filing Fees Provision Chart

Types of fees						
		Filing	Issuance	Registration	Service	
Misdemeanor or Felony Domestic Violence Offense	Filing of criminal charges against offender	YES NO N/A				
	Warrant	YES NO N/A	YES NO N/A	YES NO N/A	YES NO N/A	
	Protection order	YES NO N/A	YES NO N/A	YES NO N/A	YES NO N/A	
	Petition for Protection Order	YES NO N/A	YES NO N/A	YES NO N/A	YES NO N/A	
	Witness Subpoena	YES NO N/A	YES NO N/A	YES NO N/A	YES NO N/A	
Protection Order to Protect a Victim of Domestic Violence	Warrant	YES NO N/A	YES NO N/A	YES NO N/A	YES NO N/A	
	Protection order	YES NO N/A	YES NO N/A	YES NO N/A	YES NO N/A	
	Petition for Protection Order	YES NO N/A	YES NO N/A	YES NO N/A	YES NO N/A	
	Witness Subpoena	YES NO N/A	YES NO N/A	YES NO N/A	YES NO N/A	
Protection Order to Protect a Victim of Sexual Assault	Warrant	YES NO N/A	YES NO N/A	YES NO N/A	YES NO N/A	
	Protection order	YES NO N/A	YES NO N/A	YES NO N/A	YES NO N/A	
	Petition for Protection Order	YES NO N/A	YES NO N/A	YES NO N/A	YES NO N/A	
	Witness Subpoena	YES NO N/A	YES NO N/A	YES NO N/A	YES NO N/A	

Protection Order to Protect a Victim of Stalking	Warrant	YES NO N/A	YES NO N/A	YES NO N/A	YES NO N/A
	Protection order	YES NO N/A	YES NO N/A	YES NO N/A	YES NO N/A
	Petition for Protection Order	YES NO N/A	YES NO N/A	YES NO N/A	YES NO N/A
	Witness Subpoena	YES NO N/A	YES NO N/A	YES NO N/A	YES NO N/A